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Title 28
EDUCATION
Part CXLVII. Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel

Chapter 1. Overview

§101. Guidelines of the Program

A. In accordance with R.S. 17:391.2 et seq., and this Part, each LEA must develop a uniform system for the annual evaluation of certified and other professional personnel.

B. The guidelines approved by BESE to strengthen local teacher evaluation programs include the components of effective teaching in §901 of this Part and the Performance Expectations and Indicators for Educational Leaders, 2008 edition.

C. The requirements referred to in Subsection B of this Section will form the basis for the local evaluation programs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:10.1, 17:391.10, 17:3881-3886, 17:3901-3904, and 17:3997.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2250 (October 2010), amended LR 38:1214 (May 2012), LR 45:233 (February 2019).

§103. Purposes of Personnel Evaluation [Formerly §105]

A. The purposes for which personnel evaluation will be used in Louisiana are as follows:

1. to support performance management systems that ensure qualified and effective personnel are employed in instructional and administrative positions;

2. to enhance the quality of instruction and administration in public schools;

3. to provide procedures that are necessary to retain effective teachers and administrators and to strengthen the formal learning environment; and

4. to foster continuous improvement of teaching and learning by providing opportunities for targeted professional growth and development.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2250 (October 2010), amended LR 38:1215 (May 2012).

§105. Framework for LEA Personnel Evaluation Programs [Formerly §109]

A. Each local school board has the responsibility of providing a program for the evaluation of certified and other professional personnel employed within the system. Programs should be appropriate and should meet the needs of the school district.

B. Local personnel evaluation plans defined by the board shall include, at a minimum, the following elements.

1. Job Descriptions. The LEA shall establish job descriptions for every category of teacher and administrator. All job descriptions shall contain the criteria for which the teacher or administrator shall be evaluated.

2. Professional Growth Planning Process. The LEA shall provide guidelines for teachers and administrators to develop a professional growth plan with their evaluators. Such plans must be designed to assist each teacher or administrator in demonstrating effective performance, as defined by this bulletin. Each plan will include objectives as well as the strategies that the teacher or administrator intends to use to attain each objective.

3. Observation/Data Collection Process. The evaluator or evaluators of each teacher and administrator shall conduct observations of teacher and administrator practice sufficient to gain a complete picture of performance and impart individualized feedback each year.

a. For the 2020-2021, 2021-2022, and 2022-2023 academic years only, this shall include one announced observation for teachers and administrators. A second observation shall be conducted upon the request of the evaluatee.

b. Any teacher or administrator who earns an observation rating of Ineffective or Effective: Emerging shall be observed a second time.

c. Following the 2022-2023 academic year, this shall include a minimum of two observations per academic year and may include more observations, particularly for teachers or administrators that are not meeting expectations. At least one of these observations shall be announced and shall include a pre- and post-observation conference. One of the observations may be waived for teachers who have earned a rating of highly effective according to the value-added model in the previous year. Following all observations, evaluators shall provide evaluates with feedback, including areas for commendation as well as areas for improvement. Additional evidence, such as data from periodic visits to the school and/or classroom as well as written materials or artifacts, may be used to inform evaluation. The announced observation shall include a pre- and post-observation conference. Following all observations, evaluators shall provide evaluatees with feedback, including areas for commendation as well as areas for improvement. Additional evidence, such as data from periodic visits to the school and/or classroom as well as written materials or artifacts, may be used to inform evaluation.

4. Professional Development and Support. LEAs shall provide multiple opportunities for teachers and administrators

to receive feedback, reflect on individual practice, and consider opportunities for improvement throughout the academic year, and shall provide intensive assistance plans to teachers and administrators, according to the requirements set forth in this bulletin.

5. Grievance Process. LEAs shall include in their local personnel evaluation plans a description of the procedures for resolving conflict and/or grievances relating to evaluation results in a fair, efficient, effective, and professional manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2251 (October 2010), amended LR 38:1215 (May 2012), LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 47:354 (March 2021), LR 48:413 (March 2022), LR 49:649 (April 2023).

Chapter 3. Personnel Evaluation

§301. Overview of Personnel Evaluation

A. Personnel evaluation for teachers and administrators shall be composed of two parts. Fifty percent of the evaluation shall be composed of applicable measure(s) of growth in student learning. The remaining 50 percent shall be based upon a qualitative assessment of teacher or administrator performance.

1. For teachers, data derived from the value-added assessment model shall be a factor in measuring growth in student learning for grade levels and subjects for which value-added data are available. If value-added data are available, growth in student learning (50 percent of the total score) shall be comprised of 35 percent value-added data and 15 percent student learning targets. If value-added data are not available, growth in student learning shall be comprised of 50 percent student learning targets. For administrators, the 50 percent of the evaluation based upon growth in student learning shall incorporate a school-wide measure of growth and goal setting for principals is subject to §305.D of this bulletin.

2. For the 2020-2021, 2021-2022, and 2022-2023 academic years only, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance shall include one announced observation for teachers and administrators unless a second observation is requested by the evaluatee. This portion of the evaluation may include additional evaluative evidence, such as walk-through observation data and evaluation of written work products.

a. Any teacher or administrator who earns an observation rating of Ineffective or Effective: Emerging shall be observed a second time.

b. Following the 2022-2023 academic year, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance shall include a minimum of two observations or site visits. This portion of the evaluation may include additional evaluative evidence, such as walk-through observation data and evaluation of written work products.

B. The combination of the applicable measure of growth in student learning and the qualitative assessment of performance shall result in a composite score used to distinguish levels of overall effectiveness for teachers and administrators.

C. For the 2020-2021 academic year only, if a school leader has one learning target based on school performance and one learning target based on alternate measures, then the alternate learning target shall be duplicated for purposes of calculating a final student growth score for the school leader.

D. For the 2020-2021 academic year only, if each learning target of a school leader is based on school performance, then the observation score will comprise the sum total of school leader evaluation score.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1215 (May 2012), amended LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 41:1266 (July 2015), LR 43:2480 (December 2017), LR 47:354 (March 2021), LR 48:413 (March 2022), LR 48:1006 (April 2022), LR 49:650 (April 2023).

§303. Measures of Growth in Student Learning—Value-Added Model

A. A value-added model shall be used to measure student growth for the purposes of teacher and administrator evaluation, where available, according to guidelines provided by the department.

B. Value-added data shall be provided to teachers in grades and subjects that administer state-wide standardized tests and for which appropriate prior testing data is available. The value-added model shall not be applied for the purposes of evaluation in any cases in which there are fewer than 10 students with value-added results assigned to an educator.

C. The value-added model shall be a statistical model approved by the board for linking academic gains of students to teachers in grades and subjects for which appropriate data are available.

D. The value-added model shall take into account the following student-level variables:

1. prior achievement data that are available (up to three years);

2. gifted status;

3. section 504 status;

4. attendance;

5. disability status;

6. economically disadvantaged status;

7. limited English proficiency; and

8. prior discipline history.

E. Classroom composition variables shall also be included in the model.

F. Additional specifications relating to the value-added model shall be adopted by the board, in accordance with R.S. 17:10.1(D).

G. During the transition to English I, English II, algebra I, and geometry assessments having five levels of performance, teacher value-added data will not be available in 2017-2018. During this time, the department shall provide transitional student growth data that may be used as a measure of student growth, at the evaluator's discretion. LEAs may define local rules pertaining to the use of such data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1216 (May 2012), amended LR 38:3123 (December 2012), LR 39:1273 (May 2013), LR 40:761 (April 2014), LR 41:1267 (July 2015), LR 43:2480 (December 2017).

§305. Measures of Growth in Student Learning—Learning Targets

A. The department shall expand the value-added model, as new state assessments become available.

B. For teachers and administrators, progress towards pre-determined student learning targets, as measured by state-approved common assessments, where available, shall inform the student growth component of the evaluation. Student learning targets shall include goals which express an expectation of growth in student achievement over a given period of time, as well as common measures for assessing attainment of those goals, such as an identified assessment and/or a body of evidence.

C. Evaluators shall meet with each evaluatee for the purpose of discussing the student learning targets of each student. Student learning targets not discussed in a meeting between a person and the evaluator shall not be used in the evaluation of the person.

D. Teachers. A minimum of two student-learning targets shall be identified for each teacher. The department shall provide an evaluative tool for evaluators to use in assessing the quality and attainment of student learning targets.

1. State-approved common assessments shall be used as part of the body of evidence measuring students' attainment of learning targets, where available.

2. Where no state-approved common assessments are available, evaluatees and evaluators shall decide upon the appropriate assessment or assessments to measure students' attainment of learning targets.

3. LEAs may define consistent student learning targets across schools and classrooms for teachers with similar assignments, provided that they allow for ample flexibility to address the specific needs of students in each classroom.

4. Principals at schools with special populations (e.g. alternative schools) or those that do not have grades with standardized testing and available value-added data (e.g., K-2 schools) may define learning targets based on LDE guidance.

E. Principals and Administrators. A minimum of two student learning targets shall be identified for each administrator.

1. For principals, the LDE shall provide recommended targets to use in assessing the quality and attainment of both student learning targets, which will be based upon a review of "similar" schools. The LDE will annually publish the methodology for defining "similar" schools.

2. For principals, at least one learning target shall be based on overall school performance improvement in the current school year, as measured by the school performance score.

a. for the 2020-2021 academic year only, overall school performance improvement may be measured by the school performance score or by formative assessment data.

3. For principals, at least one learning target shall be based on growth in a component (e.g., ELA or math improvement) of school performance score.

a. for the 2020-2021 academic year only, overall school performance improvement may be measured by the school performance score or by formative assessment data.

4. Principals at schools with special populations (e.g. alternative schools) or those that do not have grades with standardized testing and available value-added data (e.g., K-2 schools) may define learning targets based on LDE guidance.

F. The department shall provide annual updates to LEAs relating to:

1. the expansion of state-standardized testing and the availability of value-added data, as applicable;

2. the expansion of state-approved common assessments to be used to build to bodies of evidence for student learning where the value-added model is not available; and

3. the revision of state-approved tools to be used in evaluating student learning targets.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1216 (May 2012), amended LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 41:1267 (July 2015), LR 47:354 (March 2021), LR 49:254 (February 2023).

§307. Observation Tools

A. LEAs must utilize an observation tool to conduct a qualitative assessment of teacher, content leader, mentor teacher, and administrator performance that is not based on measurements of growth in student learning and will represent 50 percent of all evaluations.

B. LEA observation tools shall adhere to the following minimum requirements.

1. The tool for teacher evaluation shall align to the *Louisiana Components of Effective Teaching*. The tool for administrator evaluation shall align to the *Performance Expectations and Indicators for Educational Leaders*, contained within *Bulletin 125—Standards for Educational Leaders in Louisiana*.

a. The *Louisiana Components of Effective Teaching* and the *Performance Expectations and Indicators for Educational Leaders* may be reviewed as needed by the department in collaboration with educators administering the evaluation system and appropriate third parties to determine the need for modifications and their continuing utility.

b. The board shall approve any changes made to the *Louisiana Components of Effective Teaching* and the *Performance Expectations and Indicators for Educational Leaders*.

2. Observation tools shall provide an overall score between 1.0 and 4.0. Total scores on observation tools may include tenths of points, indicated with a decimal point.

3. Observation tools for content leader and mentor teacher evaluation shall align to the components of effective teaching in §901 of this Part and the Performance Expectations and Indicators for Educational Leaders, 2008 edition, as well as the competencies for content leaders or mentor teachers in LAC 28:CXXXI.350 and 351.

C. The department shall develop and/or identify model observation tools according to these minimum requirements, which may be adopted by LEAs.

D. LEAs which do not intend to use model observation tools developed or identified by the department shall submit proposed alternate tools to the department for evaluation and approval, LEAs shall submit proposed alternate observation tools to the department.

1. With the submission of proposed alternate observation tools, LEAs may request a waiver to use competencies and performance standards other than those provided in the *Louisiana Components of Effective Teaching* and the *Performance Expectations and Indicators for Educational Leaders*. Such requests shall include:

a. a justification for how the modified competencies and performance standards will support specific performance goals related to educator and student outcomes; and

b. an explanation of how the LEA will ensure the reliability and validity of the alternate observation tool intended to measure the modified competencies and performance standards.

2. The department may request revisions to proposed alternate observation tools to ensure their compliance with the minimum requirements set forth in this bulletin.

3. If requested, revisions to proposed alternate observation tools shall be submitted to the department by the LEA.

4. LEA-proposed alternate observation tools shall be either approved or denied by the department no later than August 1.

5. LEAs which secure department approval for use of an alternate observation tools need not submit them for approval in subsequent years, unless the alternate observation tools is revised, the *Louisiana Components of Effective Teaching or Performance Expectations and Indicators for Educational Leaders* are revised, or revisions to this Section are approved by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:10.1, 17:391.10, 17:3881-3886, 17:3901-3904, and 17:3997.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1216 (May 2012), amended LR 38:2360 (September 2012), LR 45:233 (February 2019).

§309. Standards of Effectiveness

A. Teachers and administrators shall receive a final composite score on annual evaluations to determine their effectiveness rating for that academic year.

1. The 50 percent of evaluations that is based on student growth will be represented by a sub-score between 1.0 and 4.0.

2. The 50 percent of evaluations that is based on a qualitative assessment of performance will also be represented by a sub-score between 1.0 and 4.0.

3. The final composite score for teachers and administrators shall be the average of the two sub-scores and shall be represented as a score between 1.0 and 4.0.

B. The composite score ranges defining ineffective, effective (emerging or proficient) and highly effective performance shall be as follows.

Effectiveness Rating	Composite Score Range
Ineffective	x<1.5
Effective: Emerging	1.5≤ x <2.5
Effective: Proficient	2.5≤ x <3.5
Highly Effective	3.5≤ x

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1217 (May 2012), amended LR 38:2360 (September 2012), LR 41:1267 (July 2015).

§311. Evaluators

A. LEAs shall establish and maintain an accountability relationships register to clearly define who shall be the evaluator or evaluators within the ranks of teachers and administrators.

B. Evaluators of teachers shall be school principals, assistant principals, or the evaluatee's respective supervisory level designee.

1. Other designees, such as instructional coaches, content leaders, master teachers, and mentor teachers may conduct observations to help inform the evaluator assessment

of teacher performance. These designees shall be recorded as additional observers within the accountability relationships register.

C. Evaluators of administrators shall be LEA supervisors, Chief Academic Officers, Superintendents, or the evaluatee's respective supervisory level designee.

D. All evaluators shall be certified to serve as evaluators, according to the minimum requirements provided by the department.

1. The department, its contractors, and LEAs with approved alternate observation tools shall serve as the sole certifiers of evaluators.

2. The evaluator certification process shall include an assessment to ensure inter-rater reliability and accuracy of ratings, based on the use of the teacher or leader observational rubric.

3. Evaluators on record must renew certification to evaluate annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1217 (May 2012), amended LR 38:2360 (September 2012), LR 45:233 (February 2019).

§313. Professional Development

A. LEAs shall provide professional development to all teachers and administrators, based upon their individual areas of improvement, as measured by the evaluation process. Professional development opportunities provided by LEAs shall meet the following criteria.

1. Professional development shall be job-embedded, where appropriate.

2. Professional development shall target identified individualized areas of growth for teachers and administrators, based on the results of the evaluation process, as well as data gathered through informal observations or site visits, and LEAs shall utilize differentiated resources and levels of support accordingly.

3. Professional development shall include follow-up engagement with participants, such as feedback on performance, additional supports, and/or progress-monitoring.

4. Professional development shall include measureable objectives to evaluate its effectiveness, based on improved teacher or administrator practice and growth in student learning.

B. Failure by the LEA to provide regular professional development opportunities to teachers and administrators shall not invalidate any results of the evaluation process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1218 (May 2012).

§315. Intensive Assistance [Formerly §329]

A. An intensive assistance plan shall be developed by evaluators and evaluatees when an evaluatee has received an overall rating of *Ineffective* or has consistently demonstrated *Ineffective* performance, as determined by the evaluator, prior to receiving such a rating.

B. An intensive assistance plan designed to address the complexity of the educator deficiencies shall be developed with the evaluatee within 30 school days of an evaluation resulting in the initiation of the intensive assistance plan.

C. The evaluatee shall be informed in writing of placement in an intensive assistance plan, as well as the reasons for such placement, and be formally re-evaluated within one calendar year of the initiation of the intensive assistance plan.

D. Upon completion of a formal evaluation, if the evaluatee receives an ineffective rating immediately upon completion of the intensive assistance plan or if the intensive assistance plan is not completed in conformity with its provisions, the LEA shall timely initiate termination proceedings.

E. The intensive assistance plan shall be developed collaboratively by the evaluator and the evaluatee and must contain the following information:

1. what the evaluatee needs to do to strengthen his/her performance including a statement of the objective(s) to be accomplished and the expected level(s) of performance according to student growth and/or qualitative measures;

2. an explanation of the assistance/support/resource to be provided or secured by the school district and/or the school administrator;

3. the date that the assistance program shall begin;

4. the date when the assistance program shall be completed;

5. the evaluator's and evaluatee's signatures and date lines (Signatures and dates shall be affixed at the time the assistance is prescribed and again after follow-up comments are completed.);

6. the timeline for achieving the objective and procedures for monitoring the evaluatee's progress (not to exceed one calendar year);

7. an explanation of the provisions for multiple opportunities for the evaluatee to obtain support and feedback on performance (The intensive assistance plans shall be designed in such a manner as to provide the evaluatee with more than one resource to improve.); and

8. the action that will be taken if improvement is not demonstrated.

F. Completed intensive assistance plans and appropriate supporting documents, such as observations, correspondence, and any other information pertinent to the intensive assistance process, shall be filed in the evaluatee's single official file at

the central office. The evaluatee shall receive a copy of the signed intensive assistance plan and any supporting documents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:391.10, 17:3871-3873, 17:3881-3884, and 17:1309-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2251 (October 2010), amended LR 38:1218 (May 2012), LR 45:1054 (August 2019).

§317. Due Process and Grievance Procedures [Formerly §333]

A. The LEA shall establish grievance procedures to address the following components of due process.

1. The evaluatee shall be provided with a copy of his/her evaluation results no later than 15 days after the final evaluation rating is determined and shall be entitled to any documentation related to the evaluation.

2. The evaluatee shall be entitled to provide a written response to the evaluation, to become a permanent attachment to the evaluatee's single official personnel file.

3. Upon the request of the evaluatee, a meeting between the evaluatee and the evaluator shall be held after the evaluation and prior to the end of the academic year.

4. The evaluatee shall be entitled to grieve to the superintendent or his/her designee, if the conflict in question is not resolved between evaluatee and evaluator. The evaluatee shall be entitled to representation during the grievance procedure.

5. Copies of the evaluation results and any documentation related thereto of any school employee may be retained by the LEA, the board, or the department and, if retained, are confidential, do not constitute a public record, and shall not be released or shown to any person except as provided by law.

B. Failure by the LEA to adhere to the requirements of this Section shall be a grieveable matter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2252 (October 2010), amended LR 38:1218 (May 2012).

§319. Staff Development for Personnel Involved in Evaluation [Formerly §335]

A. LEAs shall provide training on a continuing basis for all staff involved in the evaluation process (i.e., district level administrators and supervisors, principals and assistant principals, and other observers, and classroom teachers). It is recommended that all training concentrate on fostering the elements listed below:

1. a positive, constructive attitude toward the teacher and administrator evaluation process;

2. a knowledge of state laws and LEA policies governing the evaluation process for teachers and administrators, along with the associated procedures for intensive assistance and due process;

3. an understanding of the *Louisiana Components of Effective Teaching* or an approved modified set of teacher competencies and performance standards;

4. an understanding of the *Performance Expectations and Indicators for Educational Leaders* or an approved modified set of leader competencies and performance standards;

5. an understanding of the measures of growth in student learning, as adopted by the board; and

6. an understanding of the process for calculating a composite score to determine final effectiveness ratings for teachers and administrators.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10, R.S. 17:3871-3873, R.S. 17:3881-3884, and R.S. 1309-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2252 (October 2010), amended LR 38:1219 (May 2012), LR 38:2360 (September 2012).

§321. Evaluation Records Guidelines

A. Copies of evaluation results and any related documentation shall be retained by the LEA.

B. All such files shall be confidential and shall not constitute a public record.

C. Such files shall not be released or shown to any person except:

1. the evaluated employee or his/her designee;

2. authorized school system officers and employees for all personnel matters, including employment application, and for any hearing, which relates to personnel matters, which includes the authorized representative of any school or school system, public or private, to which the employee has made application for employment; and

3. for introduction in evidence or discovery in any court action between the local board and a teacher when:

a. the performance of the teacher is at issue; or

b. the evaluation was an exhibit at a hearing, the result of which is being challenged.

D. Any local board considering an employment application for a person evaluated pursuant to this bulletin shall request such person's evaluation results as part of the application process, regardless of whether that person is already employed by that school system or not, and shall notify the applicant that evaluation results shall be requested as part of this mandated process. The applicant shall be given the opportunity to apply, review the information received, and provide any response or information the applicant deems applicable.

E. The state superintendent of education shall make available to the public the data specified in R.S. 17:3902(B)(5) as may be useful for conducting statistical

analyses and evaluations of educational personnel. However, the superintendent shall not reveal information pertaining to the evaluation report of a particular employee.

F. Public information may include school-level student growth data, as specified in R.S. 17:3902(B)(5).

G. Nothing in this Section shall be interpreted to prevent de-identified student growth data from public view.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1219 (May 2012), amended LR 38:2361 (September 2012).

§323. Job Descriptions [Formerly §339]

A. The local personnel evaluation plan shall contain a copy of the job descriptions currently in use in the LEA. The LEA shall establish a competency-based job description for every category of teacher and administrator pursuant to its evaluation plan. The chart that follows identifies a minimum listing of the categories and titles of personnel for which job descriptions must be developed.

Personnel Category	Position or Title
Administration	1. Superintendent 2. Assistant Superintendent 3. Director 4. Supervisor 5. Coordinator 6. Principal 7. Assistant Principal 8. Any employee whose position does not require certification but does require a minimal education attainment of a bachelor's degree from an accredited institution of higher learning 9. Any employee whose position requires certification, but whose title is not given in this list 10. Any employee who holds a major management position, but who is not required to have a college degree or certification
Instructional Personnel	1. Teachers of Regular and Sp. Ed. students 2. Special Projects Teachers 3. Instructional Coaches and/or Master Teachers
Support Services	1. School Counselors 2. Librarians 3. Therapists
	1. Any employee whose position does not require certification but does require a minimal educational attainment of a bachelor's degree from an accredited institution of higher learning 2. Any employee whose position requires certification, but whose title is not given in this list 3. Any employee who holds a major management position, but who is not required to have a college degree or certification

B. The competency-based job description shall:

1. be grounded in the state standards of performance;

2. include job tasks that represent the essential knowledge, skills and responsibilities of an effective teacher or administrator that lead to growth in student achievement;

3. be reviewed regularly to ensure that the description represents the full scope of the teacher's or administrator's responsibilities; and

4. be distributed to all certified and professional personnel prior to employment. If said job description is modified based on the district's annual review, it must be distributed to all certified and professional teachers and leaders prior to the beginning of the next school year.

C. The following components shall be included in each job description developed:

1. position title;

2. overview of position;

3. position qualifications shall be at least the minimum requirements as stated in *Bulletin 746—Louisiana Standards for State Certification of School Personnel* (The qualifications shall be established for the position, rather than for the employee.);

4. title of the person to whom the employee reports;

5. performance standards, including statement on responsibility for growth in student learning;

6. salary or hourly pay range;

7. statement acknowledging receipt of job description; and

8. a space for the employee's signature and date.

NOTE: Job descriptions must be reviewed annually. Current signatures must be on file at the central office in the single official file to document the annual review and/or receipt of job descriptions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10, R.S. 17:3871-3873, R.S. 17:3881-3884, and R.S. 1309-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2252 (October 2010), amended LR 38:1219 (May 2012), LR 38:2361 (September 2012), amended LR 48:28 (January 2022), LR 48:414 (March 2022).

§325. Extenuating Circumstances

A. For any year in which a school temporarily closes due to natural disasters or any other unexpected events, districts may request invalidation of student achievement growth data with relation to the value-added assessment model by submitting a request to the state superintendent of education. The state superintendent of education shall publish annually the process and timeline for making such requests.

B. Evaluation results shall be invalidated for any teacher or administrator with 60 or more excused absences in a given academic year, due to approved leave, such as maternity leave, military leave, sick leave, or sabbatical leave.

C. For approved leave of fewer days and for any other extenuating circumstances that significantly compromise an educator's opportunity to impact student learning, educators,

on their own behalf, district superintendents, or CEOs may request invalidation of student achievement growth data with relation to the value-added assessment model by submitting such requests to the state superintendent of education. The state superintendent of education shall publish annually the process and timeline for making such requests.

D. In the event that a yearlong resident has substantially negatively impacted student learning in the mentor teacher classroom, the district superintendent or CEO may submit a written request to the state superintendent for invalidation of student achievement growth data with relation to the value-added assessment model, in accordance with processes and timelines set forth by the LDE.

E. In cases where value-added data is invalidated, the principal or designee will have the discretion to determine the evaluation rating, based on the evidence available from students learning targets and observations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:391.10, 17:3881-3886, 17:3901-3904, 17:3997, and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1220 (May 2012), amended LR 38:2361 (September 2012), LR 39:1274 (May 2013), LR 40:761 (April 2014), LR 45:233 (February 2019).

§329. Charter School Exceptions

A. Charter governing authorities are subject only to §301, §303, §305, §307, §309, §325, §329, and §701 of this bulletin.

B. Each charter governing authority shall terminate employment of any teacher or administrator determined not to meet standards of effectiveness for three consecutive years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1220 (May 2012).

Chapter 7. Reporting and Monitoring

§701. Annual Summary Reporting Format

A. Each LEA will submit an annual personnel evaluation report of the most recent academic year to the department by July 15. Information included in the reporting format reflects data deemed necessary in presenting annual reports to the department, as well as to the LEAs. The reporting of such information includes a variety of responses directed toward the collection of data useful to an analysis of the evaluation process from a statewide perspective. Items that are reported by the LEAs on forms provided by the department include, but are not limited to, the following items:

1. individual-level teacher evaluation results, by teacher;

2. the number of certified and other professional personnel, by categories, who were evaluated as performing ineffectively;

3. the number of certified and other professional personnel, by categories, who were terminated because of not having improved performance within the specified time allotment (Include the reasons for termination.);

4. the number of certified personnel, by categories, who improved (from ineffective to effective) as a result of the evaluation process;

5. the number of formal grievances filed as a result of ineffective performance ratings or disagreement with evaluation results; and

6. the number of evaluatees who received intensive assistance.

B. The department shall annually report on the performance of administrators and teachers. Such reporting and monitoring shall include, but not be limited to, the following:

1. the percentage and number, where available, of administrators and teachers rated as highly effective, effective: proficient, effective: emerging, and ineffective;

2. the percentage and number, where available, of teachers whose student growth ratings are increased or decreased, per §303.H of this bulletin, relative to the value-added model rating; and

3. information on principal learning targets relative to those recommended by the LDE (e.g., percentage and number of principal learning targets that are above, at, or below the LDE recommended targets).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2253 (October 2010), amended LR 38:1220 (May 2012), LR 38:2361 (September 2012), LR 39:1274 (May 2013), LR 41:1268 (July 2015).

Chapter 9. General Provisions

§901. Louisiana Components of Effective Teaching

A. The chart below contains the domains and components which represent the *Louisiana Components of Effective Teaching*.

Domain	Component
1. Planning and Preparation	1c. Setting Instructional Outcomes
2. The Classroom Environment	2c. Managing Classroom Procedures
3. Instruction	3b. Questioning and Discussion Techniques 3c. Engaging Students in Learning 3d. Using Assessment in Instruction

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2254 (October 2010), amended LR 38:1221 (May 2012), LR 38:2361 (September 2012).

§905. Definitions

A. In order that consistency in terminology be maintained on a statewide basis, the department has established a list of

terms and definitions. Careful consideration of each should be given during the training and implementation of personnel evaluation programs. The definitions below must be adopted by all LEAs. If additional terms are necessary in establishing a clear and concise understanding of evaluation procedures, they must be included in the LEA local personnel evaluation plan.

Accountability—shared responsibility for actions relating to the education of children.

Administrator—any person who serves in an academic leadership role at the school-level and is employed in a professional capacity other than a teacher. Principals, assistant principals, and academic deans shall be considered *administrators* according to this definition.

Beginning Teacher—any teacher in their first three years of the profession.

Board—state Board of Elementary and Secondary Education.

Certified School Personnel—those persons whose positions require certification.

Charter School—an independent public school that provides a program of elementary and/or secondary education established pursuant to and in accordance with the provisions of the Louisiana Charter School Law to provide a learning environment that will improve student achievement.

Classroom Visitation—an informal visit to a classroom of sufficient duration to monitor progress toward achievement of professional growth plan objectives and to provide support or assistance.

Common Assessment—a state-approved assessment to be used for measuring student growth in grades and subjects where value-added data is not available.

Components of Effective Teaching—the elements of teaching performance defined by the board in formal, recognized collaboration with educators and other stakeholders involved in education, to be critical to providing effective classroom instruction.

Competencies—skills, knowledge, and abilities required to demonstrate a particular level of performance.

Criteria—demonstrable levels of performance upon which a judgment may be based.

Department—Louisiana Department of Education.

Due Process—fair and impartial treatment, including notice and an opportunity to be heard.

Duties—those actions normally required of a position as assigned and/or described in the position description that are necessary to enable the class, school, or school district to accomplish its objectives.

Educational Leader—a person who is certified to serve in any school or district leadership capacity with the exception of superintendent.

Evaluation—process by which a local board monitors continuing performance of its teachers and administrators annually, by considering judgments concerning the professional accomplishments and competencies of a certified employee, as well as other professional personnel, based on a broad knowledge of the area of performance involved, the characteristics of the situation of the individual being evaluated, and the specific standards of performance pre-established for the position.

Evaluatee—teacher or administrator undergoing evaluation.

Evaluator—one who evaluates; the school principal or assistant principal or respective supervisory level designees charged with evaluating teachers or the superintendent or other LEA-level supervisor charged with evaluating administrators.

Formal Site Visit—an announced site visit by an administrator's evaluator, that is preceded by a pre-visit conference and followed by a post-visit conference in which the administrator is provided feedback on his/her performance.

Grievance—a procedure that provides a fair and objective resolution of complaint by an evaluatee that the evaluation is inaccurate due to evaluator bias, omission, or error.

Intensive Assistance Plan—the plan that is implemented when it is determined, through the evaluation process, that personnel have not meet the standards of effectiveness. This plan includes:

a. the specific steps the teacher or administrator shall take to improve;

b. the assistance, support, and resources to be provided by the LEA;

c. an expected timeline for achieving the objectives and the procedure for monitoring progress, including observations and conferences; and

d. the action to be taken if improvement is not demonstrated.

Job Description—a competency-based summary of the position title, qualification, supervisor, supervisory responsibilities, duties, job tasks, and standard performance criteria, including improving student achievement, that specify the level of job skill required. Space shall be provided for signature and date.

Local Board—governing authority of the local education agency, parish/city school or local school system.

Local Education Agency (LEA)—city, parish, or other local public school system, including charter schools.

Non-Tested Grades and Subjects (NTGS)—grades and subjects for which a value-added score is not available for teachers or other certified personnel.

Objective—a devised accomplishment that can be verified within a given time, under specifiable conditions, and by evidence of achievement.

Observation—the process of gathering facts, noting occurrences, and documenting evidence of performance and delivering aligned, individualized feedback to the evaluatee.

Observer—one who gathers evidence to be used in the evaluation process through the observation of educator performance.

Performance Expectations—the elements of effective leadership approved by the board that shall be included as evaluation criteria for all building-level administrators.

Performance Standards—the behaviors and actions upon which performance is evaluated.

Post-Observation Conference—a discussion between the evaluatee and evaluator for the purpose of reviewing an observation and sharing commendations, insights, and recommendations for improvement.

Pre-Observation Conference—a discussion between the evaluatee and the evaluator which may occurs prior to an observation; the purposes are to share information about the lesson to be observed and to clarify questions that may occur after reviewing of the lesson plan.

Professional Growth Plan—a written plan developed to enhance the skills and performance of an evaluatee. The plan includes:

a. specific goal(s);

b. objective(s);

c. action plans;

d. timelines;

e. opportunities for reflection; and

f. evaluation criteria.

Self-Evaluation/Self-Reflection—the process of making considered judgments of one's own performance concerning professional accomplishments and competencies as a certified employee or other professional person based upon personal knowledge of the area of performance involved, the characteristics of the given situation, and the specific standards for performance pre-established for the position; to be submitted by the evaluatee to the appropriate evaluator for use in the compilation of the individual's evaluation.

Standard Certificate—a credential issued by the state to an individual who has met all requirements for full certification as a teacher.

Standard of Effectiveness—adopted by the state Board of Elementary and Secondary Education as the final composite score required for teacher or administrator performance to be considered effective.

Student-Learning Target—a goal which expresses an expectation of growth in student achievement over a given period of time, as measured by an identified assessment and/or body of evidence.

Teacher—any person who provides direct instruction or direct instructional support to students, to whom he/she has been formally assigned. Classroom *teachers*, special education *teachers*, librarians, and school counselors shall be considered *teachers* according to this definition.

Teachers of Record—educators who are responsible for a portion of a student's learning outcomes within a subject/course.

Value-Added—the use of prior achievement history and appropriate demographic variables to estimate typical achievement outcomes through a statistical model for students in specific content domains based on a longitudinal data set derived from students who take state-mandated tests in Louisiana for the purpose of comparing typical and actual achievement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1222 (May 2012), amended LR 38:2362 (September 2012), LR 39:1275 (May 2013), amended LR 48:28 (January 2022).